

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DAVID DELGADO,

Plaintiff,

16 **CIVIL** 1313 (ER)(DCF)

-against-

JUDGMENT

SUPERINTENDENT GRIFFIN, Green Haven:
Correctional Facility,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated September 25, 2020, the Report is adopted in its entirety, and Delgado's petition for a writ of habeas corpus is DENIED. As Delgado has not made a substantial showing of the denial of a constitutional right, no certificate of appealability shall issue. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Order would not be taken in good faith; therefore, in forma pauperis status is denied for purposes of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45(1962); accordingly, the case is closed.

DATED: New York, New York
September 25, 2020

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk